



**AMERICAN FOREST & PAPER ASSOCIATION**  
**AMERICAN WOOD COUNCIL**  
**ENGINEERED AND TRADITIONAL WOOD PRODUCTS**  
**SOUTHWEST REGIONAL OFFICE**  
1030 MESA ROAD, COLORADO SPRINGS, COLORADO 80904  
VOICE: (719) 633-7471 • FAX: (719) 633-7439  
EMAIL: [DAVID@tree@afandpa.org](mailto:DAVID@tree@afandpa.org)

October 3, 2006

Dave Walls  
Executive Director  
California Building Standards Commission  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833

**RE: California State Fire Marshal's Proposed Code Changes**

Dear Mr. Walls:

Thank you for allowing the American Forest & Paper Association (AF&PA) to comment on the State Fire Marshal's proposed changes to the International Building Code currently being considered for adoption in California. The AF&PA is the national trade association of the forest products industry, an industry which is a vital component of California's overall economy. The forest products industry employs nearly 114,000 workers in the State with an annual payroll of over \$4.2 billion. This manufacturing workforce represents 4.2 percent of the State's total.

As an industry therefore committed to California, including its built environment, AF&PA supports an open and fair code development processes in which the merits of building code provisions are considered and debated by code officials, safety professionals, and experts in design and construction. AF&PA is active in this arena and, because of its ability to provide state-of-the-art provisions, we strongly support the collective International codes, which have been developed in an open and fair process. **Accordingly, AF&PA urges all jurisdictions, including California, to adopt the model International codes with the fewest possible amendments.** Thus, while we support the adoption of the "I" Codes in California, we do have concerns with the number of code change proposals submitted as well as the procedure in which the State Fire Marshals' proposed code change package has been prepared.

By way of background, the package of code changes prepared by the State Fire Marshal's office contains approximately 995 proposals. The majority of these code changes were taken from previous editions of the California Building Code and were requirements in the older, and now outdated, 1997 Uniform Building Code. By doing so, the State Fire

Marshal's office is actually taking the "old" and "outdated" provisions from the Uniform Building Code and placing those requirements in the 2006 International Building Code. This results in the State Fire Marshal's office NOT adopting the International Building Code, but rather the old Uniform Building Code with a different cover. Their proposals attempt to ignore the advances made in building technology and understanding over the last ten years and keep "everything the same" by not recognizing the newer provisions published in the International Building Code. If ultimately approved, this will render California's building code "unique" among the other States and cities adopting the International Building Code, thus defeating the purpose of a single national building code. Correspondingly, adoption of the International Building Code in California, without amendment, would specifically benefit California's own building industry, as the uniformity of requirements would help those in California who design and build, or manufacture products, sell more efficiently across state lines.

While we do recognize the need for California to make limited amendments to the International Building Code to address specific issues required by State law, we are nonetheless opposed to the procedure by which the IBC is being proposed for amendment and the unusually high number of code change proposals being proposed. Our reasons are as follows:

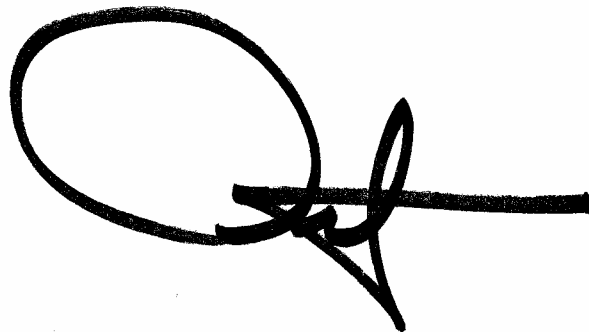
- California law requires the so-called "Nine Point Criteria Analysis" for proposed amendments to the national model code. These nine points, which have not been addressed in developing the current package of amendments, are specifically in place to assure that increases in safety are balanced against any increase in cost of construction. No analysis has been offered to substantiate the claims of increased fire safety. Furthermore there is no substantiation provided supporting the claim that added costs of construction are insignificant.
- Analysis conducted by the American Institute of Architects shows dramatic increases in construction costs without accomplishing any increases in fire safety.
- Every other state with a mandatory statewide building code has recognized the new ICC codes as representing the state-of-the-art and appropriately adopted them without substantive amendment. As these codes are developed in an international consensus forum and are voted upon only by state and local code officials, they represent the best professional thinking on these issues.
- Height and area provisions of the IBC, now proposed for local amendment, were in fact developed by a committee chaired by a California code official with equal representation for California and other "western" building officials..
- The local amendments proposed will result in the California building code being significantly different from the International Building Code adopted in every other state, and even that which has been proposed by the City of New York. Designers will be forced to spend valuable time and effort learning a unique California building code instead of using the code familiar to elsewhere in the U.S.
- With respect to seismic and fire conditions, other states, with earthquake hazard zones and wildland interface zones similar to California's, have not found data to support amendments such as those proposed in California to address these hazards.
- The IBC is a set of inter-related requirements for fire and life safety, structural issues, accessibility, durability, and serviceability. It is a system. The individual provisions do not one-to-one correlate to the old Uniform Building Code or the proposed California version. The manner in which those individual provisions relate to each

- other and work together to provide comprehensive levels of safety at acceptable costs are not provided when specific sections are arbitrarily changed.
- Other building codes contain comparable, if not even more liberal provisions. Nevertheless, we believe that available data supports the *International Building Code* provisions for building height, building area, sprinkler increase factors and area modifiers, as written.
  - States with other model building codes or *no statewide building code at all* have similarly fire records to California. The report, *Fire in the United States 1983-1990* (United States Fire Administration), states this clearly.

Finally, we would like to point out that the process that produced the ICC *International Building Code* was fair and open to all interests. From the inception, the IBC received extensive input from California and from the many other states which previously relied upon the UBC. As a national model representing the best consensus thinking of many building officials, including those from California, we urge you to recommend adoption of the IBC without amendment.

Thank you for considering our comments and we look forward to our continued working relationship with the State of California.

Respectfully submitted,

A handwritten signature in black ink, consisting of a large, stylized loop followed by a horizontal line and a small flourish.

David P. Tyree, P.E., C.B.O.  
Regional Manager  
American Forest & Paper Association

Cc: Rosario Marin  
Kate Dargan